

REMARKS

The foregoing amendment is submitted to address the technical rejection to the claims under 35 USC Section 112. The first game area comprises at least one row having a first end. As shown in Figure 2 of the present application, the first end of the first row of the first game area would be the vertical line just to the right of the word "two of a kind".

The second game area comprises at least one row with each of the first game area and the second game area having the same number of rows. Each row of the second game area is adjacent the first end of a corresponding row of the first game area. Again referring to Figure 2, there is provided a second game area row comprised of five indicia (i.e. 7S, 7H, 6C, 5D and JC). This row in the second game area is adjacent the first end of the corresponding row of the first game area (i.e. two of a kind).

It is respectfully submitted that the amendments made to claim 1 clarify the relationship between the first and second game areas and address the technical rejection under 35 USC Section 112. Entry of the amendment to claim 1 is therefore deemed proper and is respectfully requested and entry of the amendment is deemed to obviate the rejection under 35 USC Section 112.

Claims 1-8 stand rejected as obvious over Cardoso (U.S. Patent No. 6,491,297). The Office Action refers to Figures 2 and 3 of the reference showing a

lottery ticket comprising a first game area (24) on at least one row which is capable of containing a plurality of play indicia (12 as stated in column 5, lines 21-23). The Office Action further states that there is a second adjacent game area (14), wherein the second game area designates a target indicia which if present in only the adjacent column in the first game area may result in a prize being won. The Office Action concludes that Cardoso renders the claimed invention obvious to one of ordinary skill in the art. The rejection is hereby traversed and reconsideration is respectfully requested.

Applicants respectfully disagree with the characterization of the lottery ticket presented in the reference. Assuming that reference numeral 24 in the reference can be designated a first game area, it is comprised of a set of data or indicia typically comprised of graphic images or photographs and/or other data of an individual (column 5, lines 20-24). This data or indicia has nothing whatever to do with the playing of a game but is intended to be removed from the lottery ticket for the purpose of stimulating public awareness about the individual image and/or data printed on the first game area 24. There is no teaching or suggestion in the reference that the first game area 24 has anything whatever to do with the playing of the game in the second game area 14. As indicated at column 6, lines 47-50 the first game area 24 is removed from the lottery ticket. Thereafter, because of the presence of an entry code 28 on the reverse side of the first game area 24 (see Figure 5), can be used to participate in a later contest, the content of which is not disclosed in the reference. The first game area 24, however, has nothing whatever to do with the game being played in the second game area 14.

Indeed, the only reference to the game being played in first game area 14 is indicated at column 6, lines 19-22 wherein it is stated that after removing the opaque coat 16 from the play area 14 there is revealed a plurality of game elements which may be comprised of a multitude of play symbols 20 and prizes 22. There is no teaching or suggestion in this portion of the reference of the employment of two game areas which interact with each other in such a manner that each row of the corresponding second game area may provide a target indicia which if present in only the corresponding first game area will result in a prize being won.

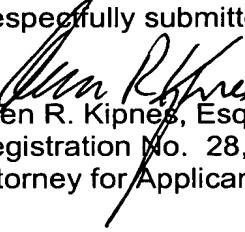
For example, attention is directed to Figure 2 of the drawings. The first game area (e.g. two of a kind) and the corresponding second game area (e.g. 7S, 7H, 6C, 5D and JC) are interrelated in the determination of any prize being won. Thus, the second game area must contain two of a kind (as indicated in the first game area) in order that have a prize be won. No such interrelationship is present in the reference lottery ticket.

As best can be determined from Figure 3 of the reference, the only game area concerned with a prize is the game area 14 which shows play symbols which if they appear in a certain pattern will result in a prize of the amount shown next to the horizontal row of symbols. This game area has nothing whatever to do with the game area indicated in the Office Action designated by the numeral 24. It is therefore submitted that the reference does not disclose a first game area and a second game area as required in the present claims.

It is therefore submitted that the present application is in condition for allowance and early passage to issue is therefore deemed proper and is respectfully requested.

It is believed that no fee is due in connection with this amendment. However, if any fee is due, it should be charged to Deposit Account No. 23-0510.

Respectfully submitted,

  
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